CASE DM6907A

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Keith R. Lange Type or print name

Signature

July 28, 2004

Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

IN RE APPLICATION O

MILLER et al.

APPLICATION NO: 09/975,813

FILED: September 12, 2001

FOR: ASSAYS AND PEPTIDE SUBSTRATE FOR DETERMINING

AGGRECAN DEGRADING METALLO PROTEASE ACTIVITY

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Office Action dated June 30, 2004, a response to which is due July 30, 2004 with a shortened statutory period for reply. Accordingly, this Response is deemed to be timely filed.

## Restriction Requirement

Applicant's provisionally elect, without traverse, to prosecute the invention of Group I, claims 1-25, 31, and 32, drawn to a peptide, classified in class 530, subclass 300.

Respectfully submitted,

Bristol-Myers Squibb Company Patent Department P.O. Box 4000 Princeton, NJ 08543-4000 (609) 252-3883

Date: July 28, 2004

Keith R. Lange Attorney for Applicant Reg. No. 44,201